



12-06-05

AF JFW

EXPRESS MAIL NO.: EQ 225 775 515 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Bee *et al.*

Confirmation No. 4949

Application No.: 09/880,732

Group Art Unit: 1634

Filed: June 12, 2001

Examiner: JOHANNSEN, DIANA B

For: Assay For Genetic Polymorphisms Using Scattered Light Detectable Labels Attorney Docket No.: 11032-017-999 (CAM 107168-999016)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 19, 2005 of the Primary Examiner finally rejecting claims 1-6, 9, and 59-71 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for 3 month(s):  
☐ was filed on  
☒ is submitted herewith.
2. ☒ A timely response to the final rejection has been filed.
3. ☒ A fee in the amount of \$500.00 is:  
☒ Required.  
☐ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$250.00 is:  
☐ Required.  
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: December 5, 2005

Richard E. Ballard

Reg. No. 46,078

for

Laura Coruzzi

Reg. No. 37,042

JONES DAY  
222 East 41st Street  
New York, New York 10017  
(212) 326-3939

12/06/2005 ZJUHR1 00000108 503013 09880732

01 FC:1401 500.00 DA